

CHURCH AND STATE

A MONTHLY REVIEW



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Maine Court Rules Out Parochial Bus Grants

The Maine Supreme Court ruled on May 24 that the city council of Augusta exceeded its authority when it voted to use public funds to provide transportation to parochial schools. In a 4-to-2 vote the justices agreed with the contention of the plaintiff, the Taxpayers' Association, that authority to make such use of public funds was lacking under existing law. The suit was remanded to the Kennebec County Superior Court for action in accordance with the opinion.

The vote of the justices, curiously, followed sectarian lines: four Protestants voted for strict adherence to the constitution; two Catholics voted to approve the bus grants that had no legal basis.

The decision, which was delayed till the end of the school term, terminates all bus transportation to parochial schools at taxpayers' expense in the state of Maine. Especially significant was the justices' finding that an expenditure of money for such a

purpose could not be justified as an exercise of "police power."

From Judicial to Legislative

Forsaking its judicial role for a legislative role, the court then gave a dictum to the effect that "a properly worded enabling act . . . would meet constitutional requirements. . . ." Thus the court seemed to say that if a specific act were passed by the legislature authorizing such an expenditure, it would be valid. This would, however, be a bridge to be crossed at

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Semper Idem Omnibus



Transportation provided by the U. S. government gives a school like St. Mary's in Japan and the church which operates it the prestige of official sponsorship. Such transportation at taxpayers' expense, forbidden in a majority of our states, is provided at reservations by orders of the military.

D.C. BUS SUBSIDY TABLED;

SEPARATION PRINCIPLE CITED

A House subcommittee of the District of Columbia committee has unanimously voted to table legislation which would have provided a subsidy from District funds to children "attending public, parochial or like schools in the District of Columbia. . . ."

Alerted to the proposal by POAU, the Council of Churches National Capital Area, the Baptist Joint Committee on Public Affairs, the American Jewish Congress and the Religious Liberty Association (Adventist) swung into action. The religious leaders testifying against the legislation were attacked with hostile questions by Rep. Abraham J. Multer (D-N.Y.) who stoutly defended the bill. (Rep. Multer was ill and not present when the vote was taken).

Bad Effect

In testimony prepared for the subcommittee, POAU associate director C. Stanley Lowell attacked the principle of the legislation "because of the effect which a financial measure of this kind enacted in the District of Columbia would have throughout the nation." He reminded the subcommittee that since the Everson decision in 1947 a number of state Supreme Courts have rendered decisions "Which continue to limit transportation at public expense to public schools only. . . ."

"(Such legislation) would tend to have the effect of overriding state laws and constitutions which adhere strictly to the principle of separation of church and state in the matter of school transportation," he said.

The subcommittee listened with close attention to Melvin Adams, associate secretary of the Religious Liberty Association. Speaking for a group operating extensive private schools in the District of Columbia, Mr. Adams declared the conviction of his church that it would be improper to spend

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The Tender Trap

Loose-minded interpreters of the Constitution, basking in the warmth of pseudo-friendliness to religion, bid fair to destroy the entire principle of church-state separation in the U. S. A recent bulletin from the U. S. Information Agency declares: "Religion and state are not separated, though church and state are. . . . Governments honor religious bodies and give certain preferential treatment *without discrimination*, as they do to charitable and educational institutions. This treatment *does not in any way favor one religious organization over another.*"

The words we have italicized in this statement attest its falsity to the American tradition. For it reduces the entire principle of separation to a matter of "non-discrimination" in official promotion of religion.

The Bishops Penetrate

This kind of loose thinking about separation is reminiscent of the novel interpretation supplied by the Roman Catholic bishops of the U. S. in 1948. They insisted that the Federal Constitution did not prohibit public support of churches provided all denominations received the money on an equitable basis!

Senator Eugene J. McCarthy (D-Minn.) evidently shares this idea that separation means "non-discrimination" in official promotion of religion. In an article in *America*, a Jesuit publication, he writes that Catholics "accept and support fully . . . the provision of the Constitution which forbids the establishment or *preferment of any church.*" The italicized words represent a slick interpolation, for they are certainly not in the Constitution. They are inserted to convey the idea that separation merely means that one church is not to be favored over others.

Pleasant Poison

It is time to repudiate this interpretation of the Constitution which is quite false to history. The First Amendment does not mean that the founding fathers were repudiating a single establishment in favor of a multiple establishment. It meant that they were taking the government out of the business of religion. What is meant by the First Amendment, plus the constitutions and statutes of 48 states, is that the government does not promote religion. It does not promote one church, or several churches,

or all churches. It does not promote religion, period.

Here is a simple admission that the government is not God. The oath to uphold the Constitution does not constitute holy orders. Government has its indispensable functions but there are certain areas it ought to keep out of. First and foremost among these areas is religion.

The separation provision is public acknowledgement that the best thing the government can do for religion is to let it alone. To be sure, the fleshpots of tax funds and official prestige do possess a perennial lure for churchmen. There are at least some of them who would like to fall once more into the same old trap.

The job of saving the churches from such machinators is rendered no easier by intellectual fuzzywuzzies who are trying to re-interpret the Constitution under the pleasant guise of "friendliness to religion."

One in Seven

The recent controversy in the Maryland legislature over a Sunday closing law has its counterparts in an increasing number of states. There is a disposition for Protestant and Roman Catholic to combine in campaigns for such legislation. The opposition, composed of Adventists, Jews, Seventh-day Baptists and a few others, is in a hopeless minority.

Advocates of the law argue that it is for health purposes only and that religious considerations are not involved. Opponents contend that a Sunday closing law does, nevertheless, impinge upon their religious freedom since it crimps their means of livelihood.

There is force in both arguments. People who don't have sense enough to quit business one day in the week ought to be made to by law. But why prescribe the day this has to be? Only at that point, it would seem, are religious implications involved.

Let there be not Sunday laws, but "one in seven" laws. This leaves choice of the day for rest and worship up to the individual where it properly belongs.

Who Represents Protestants?

The Fund for the Republic has just sponsored another church-state dialogue, this one on "Religion and the Schools." The program, as ar-

ranged by devout Catholic Actionist John Cogley, was "balanced" with a fine show of impartiality. Two of the speakers, William Gorman and F. Ernest Johnson, favored Catholic subsidies. Two others, Robert Gordis and Robert Lekachman, opposed them. A Roman Catholic and a Protestant versus a Jew and an agnostic!

This is the sort of forming we object to in all of John Cogley's programs. Why must he always have as "Protestant" representative someone with views like Johnson's? Johnson may represent an enclave of Protestantism cocooned within ivy-covered walls. But he is patently incapable of either grasping or expressing the concern of Protestants over the rise of the Catholic power structure which the subsidy will tremendously accelerate.

What we object to most about men like Johnson is their failure to grasp the total picture. Johnson is fundamentally for the Catholic subsidy. This is well known. Why, then, can't he say so without all the fancy handstands on the fence? We could commend him if he did.

Another thing. The Fund for the Republic continues to bill Johnson as representing the National Council of Churches. We understand he has not been connected with the National Council for some time but now teaches at Union Theological Seminary. Isn't this a case of misleading advertising? The Council has publicly repudiated Johnson's views, as it should have.

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NEWS From Far and Near

◆ A bitter religious controversy has broken out in Britain between Free Church and Anglican and Roman Catholic groups over the report that the government contemplates increasing its grant for school additions and new school construction from 50 to 75 percent. Principal proponent of the increase is the Roman Catholic hierarchy. *The Baptist Times* complained: "Roman Catholics do not confine their indoctrination merely to Scripture lessons. History books are rewritten, science and literature are given a Roman Catholic slant. The whole education of the child is pumped up with propaganda."

◆ The long strife between the dominant Catholic party of Belgium and its Socialist opposition over tax support to Catholic schools has been settled by substantial increases in the Catholic subsidy. These schools now receive from the central government the same subsidies as are paid to public schools.

◆ Renewed pressure is being exerted on the DeGaulle government in France by the Roman Catholic hierarchy for increased support to Catholic schools. Since their teachers have a low salary scale, the church is asking the government to assume responsibility for paying parochial teachers and to bring their scale into alignment with that of the public system.

◆ Belgian public opinion has forced cancellation of a Vatican marriage for Prince Albert to be performed by Pope John XXIII. Prince Albert is the younger brother of King Baudouin. Belgian law requires a civil ceremony in addition to church rites. The Vatican had contended that since the Pope was ruler of Vatican City State, his ceremony should qualify as both civil and religious.

◆ The Federal Council of Evangelical Churches in Italy has charged that Italian police are making intensive inquiries into the religious faith of foreigners residing in that country. Protestant evangelists have recently been forbidden by the authorities to speak in four towns: Puglie, Cisternino, San Giovanni and Campobasso.

◆ The Spanish Ministry of Information, on direct orders from the Vatican, has ordered the cancellation of a Roman Catholic-Protestant study conference which had been scheduled this summer at Monserrat. Spanish observers claimed to be "surprised" at the Pope's action in view of his "conciliatory and tolerant" attitude.

◆ Meeting in Kula Lumpur, Malaya, the East Asia Christian Conference declared in its statement on religious liberty that every adult person has the right to profess and propagate his faith and to change his religious affiliation.

◆ Religion reporters of the country's leading dailies at their May meeting in Louisville, Ky. were evenly divided in answers to the question: "Do you think a Roman Catholic could be elected President of the United States in 1960?" Thirteen answered "Yes"; the other thirteen "No."

◆ The Netherlands has a new Roman Catholic premier, Edourda de Quay, who had been thwarted in previous efforts to head the government. His (Catholic People's) Party has the largest number of seats in the Chamber of Deputies but is far short of a majority. De Quay's coalition government includes three other conservative parties, two of which are Protestant.

◆ The Hungarian Communist regime, which subsidizes both Roman Catholic and Protestant churches, has taken steps to tighten its controls on both. According to a new decree, church posts of any consequence can be filled only with the consent of the government. If a vacancy persists for 60 days, the government is authorized to make the appointment on its own. All church officials must swear an oath of allegiance to the Hungarian People's Republic. The oath has reportedly been taken by Roman Catholic Archbishop Jozsef Grosz and four of his bishops.

◆ Special masses were offered in all Roman Catholic churches of Portugal for dictator Antonio de Salazar on his 70th birthday. "He has given the country spiritual unity," said Archbishop Antonio Bento Martins Junior.

◆ There is an active possibility that the Crown Princess of Japan might become a Catholic convert, according to Bishop Paul Taguchi of Osaka. "There is good hope for her," he said, "and only Providence knows what the future may hold."

Maine Court

(Continued from page 1)

a later time. Laws providing for sectarian bus transportation paid for by the public have been before the Maine legislature before and all have failed of passage.

This bus case has an interesting history. It began with the defeat of a hierarchy-sponsored bus bill back in 1955. Catholic Action resentfully began to take aggressive action in various localities. In some of these, bus transportation was provided for parochial schools by local school boards.

In Augusta, the city was asked to make grants for this purpose. When the money was not promptly forthcoming, Catholic leaders threatened to "dump" 900 parochial school pupils on the public schools the following Monday morning. (*Review* April, 1957) Local priests said they would be glad to receive parochial children back in their own schools as soon as the controversy was settled. Superintendent of Augusta schools, Perry F. Shibles, refused to be bullied. When he coolly announced arrangements to enroll the new pupils, Catholic Action retreated and there was no "dumping."

Mayor Carey Helps

The city council under the urging of Mayor H. Lloyd Carey, next voted a token sum of \$100 for parochial bus transportation. After consultation with POAU, a local Taxpayers' Association challenged the expenditure in the courts. They were granted an injunction against such use of school funds.

Local Catholic Action consulted new legal counsel and adopted a new gimmick. The city council was asked to vote the grants from "welfare funds." Such a token grant was voted in the amount of \$250. This grant was also challenged by the taxpayers' group and when Judge H. C. Marden refused an injunction, the case went to the Maine Supreme Court.

The case, which has been in the courts for three years, represents a major triumph in the nation-wide struggle over public-supported transportation for parochial schools. Taxpayers of Maine have been saved up to \$500,000 annually as a result of the decision.

NO PAPER

Our next issue, dated September, will reach you in 60 days. We publish 11 times a year, skipping August.

Seven Suits Pending In Connecticut

The legal battle against Connecticut's law which forbids any dissemination of birth control information, has become prolific and intense. Almost everybody seems to be joining it. Perhaps the most interesting of the seven lawsuits now pending is one filed by three Protestant ministers of New Haven.

The clergymen are Dr. George Teague of the First Methodist Church on the Green, Dr. C. Lawson Willard of Trinity Episcopal Church and Dr. Luther Livingston of Bethesda Lutheran Church. They contend that they are "bound by the teachings of the church and their own religious beliefs to counsel married parishioners on the use of contraceptive devices and to give such advice in premarital counseling." Thus, they argue, the law deprives them of their religious liberty.

Another of the suits was filed by two Yale Law School students, David M. Trubek and his wife, Mrs. Louise G. Trubek. They plead that, needing birth-control guidance, they consulted Dr. C. Lee Buxton of the Yale Medical School faculty, and were advised that state law barred him from giving such information.

The legal battle was spurred by another defeat of a bill in the Connecticut Assembly which would have permitted birth control advice as a health measure. Catholic Action was responsible for defeating the bill just as it has defeated many other such bills in the past.

On Other Fronts

In New Jersey, however, Catholic Action suffered a major setback when an old law restricting the sale of contraceptives was declared unconstitutional. Judge Walter H. Conklin held that the law was so vague that it would not fairly inform a defendant "of the elements constituting a quasi-criminal infraction."

In Pennsylvania the board of public assistance rejected 5-2 a proposal that case workers be permitted to refer birth control inquiries from relief clients to ministers or physicians. The board voted last year authorizing workers to refer relief clients to birth control clinics when there was no religious objection. Henry Shapiro, then public welfare secretary, and Ruth Horting, his successor, have both refused to carry out the policy.

Meanwhile, on the national scene, Roman Catholic Congressman Edward J. Derwinski (R-Ill.) was seeking to turn a rule of his denomination into a national law. He introduced a bill which would bar from the U. S. mails anything "designed, adapted, or intended . . . for preventing conception. . . ." Congressman Derwinski irrelevantly tied his birth control ban into a bill dealing with censorship.

"Murder"

"(The Roman Catholic Church) logically must hold that no one may advocate or advise use of artificial birth control, just as no one may induce another to commit murder or any other intrinsically evil deed."

—Father Martin N. Lohmuller to a committee of the Pennsylvania legislature discussing the public assistance program to illegitimate children and their mothers.

NCWC Dooms Aid For Public Schools

The National Catholic Welfare Conference, official spokesman for the American hierarchy, has blasted the Murray-Metcalf bill, the only aid-to-education bill which had a chance to pass at the current session. The pronouncement issued by Archbishop Albert G. Meyer for the conference, returns to the traditional Catholic policy of opposing all Federal aid unless parochial schools are included on an equal basis. It also probably dooms any Federal aid in the 86th Congress.

Picking up the line at once, *America*, the Jesuit weekly, denounced the Murray-Metcalf bill, arguing that no additional funds were needed either for public school classroom construction or for teachers' salaries.

The Real Reason

The real reason for Catholic opposition evidently lay in the hierarchy's determination to reassert its historic policy of "separate but equal" where Federal aid programs are concerned. That is, they desire a Catholic school system without public controls in which their children are segregated by religion from their fellows, but which will receive equal tax support with the public schools.

Catholic Action did not oppose the Defense Education Act of 1958. Ever

since its passage, however, there has been a spate of Catholic complaints that the bill "discriminates" against parochial schools because aid is not given these institutions on the same basis as public schools.

The Welfare Conference report which has been presented to a Senate subcommittee, argued that any aid program should be "fair" to children in parochial schools. It urged aid to these institutions in the form of long-term, low interest loans for school construction.

POAU Chapters Get New Guidance

A new manual — "Blueprint for Action"—for POAU Chapter officers and directors will be available for distribution August 1. The new guide book for local groups has been compiled by the POAU Department of Organization.

"Blueprint for Action" contains instructions for organizing local committees and Chapters, and should be of special value to new directors and officers. The manual emphasizes the opportunities of the standing committees in the areas of program, membership expansion and public relations projects. Techniques for setting up public meetings and conducting study groups are described; and standards for Chapter performance are discussed.

A sample Chapter constitution, and a list of Chapter work sheets, are included in the manual, along with financial regulations for local POAU groups. Full data on performance standards for POAU chapters and committees will be found in the manual.

Chapter presidents may request copies of the manual for designated officers and directors, for distribution and discussions at August and September board meetings.

D.C. Subsidy

(Continued from page 1)

tax funds for direct aid to private schools as was envisaged in the bills.

It was pointed out by Dr. C. Emanuel Carlson of the Baptists that the bills could readily be made unobjectionable by eliminating the aid for parochial and private schools.

The Law in Action

In an Oregon City, Ore., suit which challenges the legality of expenditures for parochial school textbooks, a judge has permitted an intervention by Ivan B. Carlson, a father of eight children. Carlson, required by Canon Law 1374 to send his children to parochial schools, contends that he will be forced to buy books for his children if the school district cannot provide them.

* * *

Attorney General Malcolm F. Seawell has ruled that under North Carolina law the state Board of Education may not expend funds to participate in the testing and guidance program for parochial schools contemplated in the 1958 Defense Education Act. The law provides that the Federal agency can go ahead with such a program anyway by dealing directly with the institutions involved.

* * *

Resolutions urging Congress to take in more Italian refugees and to liberalize quota requirements were unanimously endorsed by the American Committee on Italian Migration of the National Catholic Resettlement Council. Officials of the committee called on President Eisenhower. The group was addressed by Sen. John O. Pastore (D-R.I.) and Sen. Stuart Symington (D-Mo.).

* * *

The Troy Methodist Conference at its 127th annual session warned "against the threat to the democratic way of life if all the religious denominations in America were to show their distrust of the public schools by promoting a program of educational segregation."

* * *

Parishioners of St. Peter's Roman Catholic Church of Pittsburgh lost a fight to save their church from being razed in a redevelopment project when the State Supreme Court unanimously denied their writ of *certiorari*. Without consultation with the parishioners, Most Rev. John F. Dearden, then Bishop of Pittsburgh, had agreed to a price of \$1,240,000 for the church.

* * *

A joint committee of the North Carolina legislature, engaged in redrafting the state's constitution, has rejected proposals to eliminate a sen-

tence describing the state as "Christian." Rep. Ed Yarbrough of Franklin said he would "never vote against Christianity" and the committee backed him.

* * *

The North Carolina legislature has passed a law pointing toward exemption of clergymen from testifying in court regarding "confidential communications" from their parishioners. Actually, however, the new law leaves the matter to the discretion of the judge, for it provides that in case he feels the clergyman's testimony is necessary "in the interest of justice," he may still require it.

* * *

Jurisdiction of civil courts in church affairs where the "civil and property" rights of parishioners were involved, was upheld by the Kentucky Court of Appeals. When the pastor of the Eastern Star Baptist Church of Louisville refused to call a meeting of the

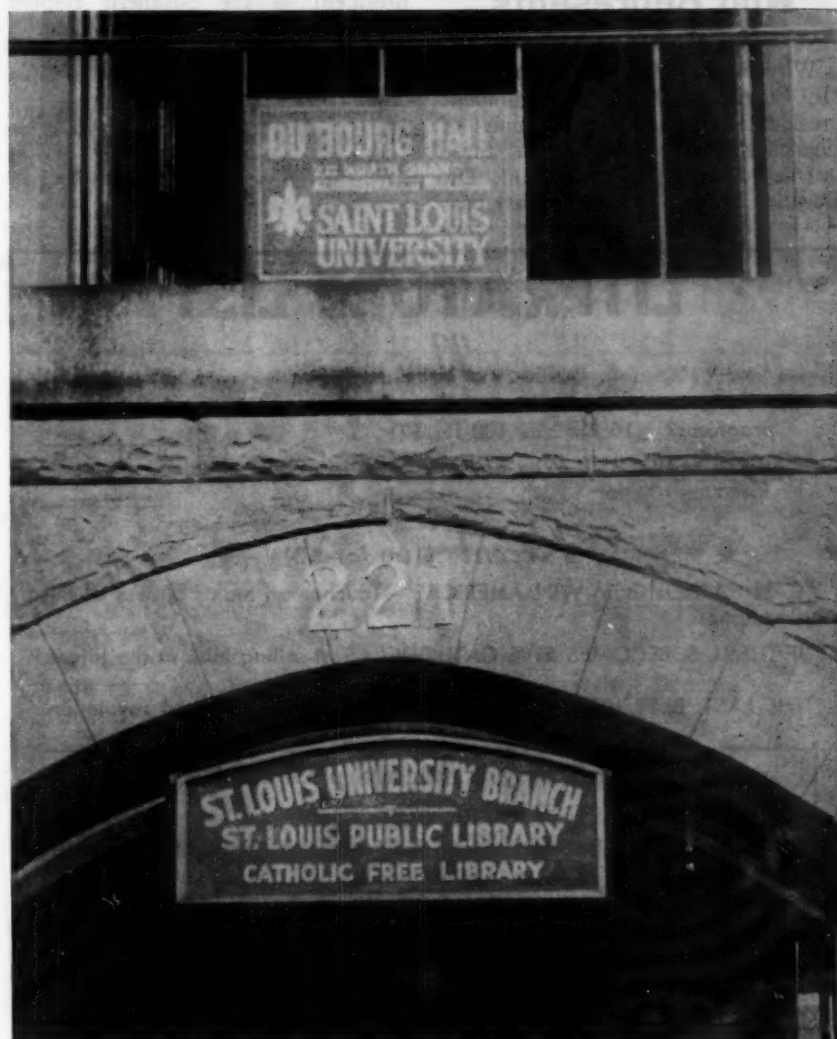
board of deacons to hold regular elections, the deacons went to Jefferson Circuit Court which named a commissioner to moderate such a meeting. The court sustained this but stressed that there was no jurisdiction in doctrinal or spiritual matters of a church.

* * *

A hearing on the merits has been ordered by an Indianapolis judge regarding a decision by a Zoning Board which denied St. Luke's Catholic Church a permit to build on its site in an area of "exclusive residential character."

* * *

Two states of overcrowded India, impatient with the slow progress of their family planning program, are offering small payments to people who have themselves sterilized. The Director of the Indian Institute for Population Studies says that "There is more freedom on the question of family planning in Bombay than Boston."



This intimate association of church and state in library operations at St. Louis University may be the harbinger of kindred developments as the city condemns a large tract of land for the benefit of this Jesuit institution.

License Fees Benefit Church

A new and curious church-state operation has been encountered in Utah where private landowners, under authorization of state law, require a special hunting fee, then donate the proceeds to the Mormon Church. It works this way: a given district can, on petition of 50% of its property holders, prohibit all hunting except by special permit within the area. Upon the creation of such an area, it is patrolled by church officials who sell the special permits for \$1.00 (the state's prescribed price), then donate the money to the church.

The attorney general argues that church-state separation is not involved "inasmuch as the state has no control over the expenditure or use of these funds . . ." POAU attorneys are studying this unique arrangement.

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Who Represents

(Continued from page 2)

Why, we would like to know, is Dr. Edwin T. Dahlberg, incumbent president of the National Council of Churches, never invited to these learned dialogues? What about Dr. Eugene Carson Blake, immediate past

Treasury Quizzed on Loyola Tax

A letter from POAU to the Commissioner of Internal Revenue has raised a question regarding the tax exemption claimed by radio station WWL of New Orleans. The station is operated by Loyola University, a Jesuit institution of the Roman Catholic Church. Attention was called to the testimony of Fr. Patrick W. Donnelly, the institution's president, who acknowledged that despite its commercial advertising the station had paid no Federal taxes in more than 30 years of operation.

The occasion of the POAU letter was a decision by the U. S. Court of Appeals, sustained in effect by the U. S. Supreme Court which refused a

review, upholding the grant of a TV channel to Loyola by the F.C.C. The court sustained Loyola's contention that it is a "financially autonomous" institution. It rejected charges by POAU that the university's relationship with the Society of Jesus constituted any impairment of its local character.

Either or Both?

The POAU letter points out the inconsistency of the government's position in granting tax exemption to the Loyola radio station on the ground that it is an integral part of the Roman Catholic Church, while then granting the same school a TV channel on the ground that it is a local organization in New Orleans under its own autonomous financial control.

POAU contends that Loyola could not reasonably or properly have it both ways. It could not be a local, autonomous group for the purpose of receiving the grant of a TV channel, then, presto, become an integral part of the highly connectional Roman Church when the tax collector knocked at the door.

The same question has been referred to the State Department in a different form. The Department was asked why an ambassador should be sent to the Pope if he is an ecclesiastical official. State replied that Vatican City State over which the Pope rules, is an existing sovereign state. State was next asked why, if it were a sovereign state and the American Cardinals voted for its ruler, they did not lose their American citizenship as the law provides. State replied that the election was primarily religious and that the Pope was only incidentally the ruler of Vatican City State.

A reply from the Treasury Department in regard to the tax question is awaited with keen interest.

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LITERATURE LIST

New

"CENSORSHIP" (Truth Series 13)—What is the aim of church censorship programs? (10 for 25c, 100 for \$2)

"CAPTIVE SCHOOLS"—Why do nuns teach in public schools? (12 for 50c; 100 for \$3)

Recent (100 for \$3)

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Quote of the Month

"As we look forward to the 1960 Democratic and Republican national conventions it is apparent the two major parties are looking around for Catholics to put on their tickets."

—Fr. Thurston N. Davis,
editor *America*

Baptize Helpless Secretly

The entire policy of public subsidies to hospitals operated by the Roman Catholic Church, is due for new soul-searching in the light of a recent article by Father John R. Connery, S.J., of West Baden College. It is apparently possible, under certain circumstances for a person to be baptized Catholic in such a hospital without his permission and without the information being transmitted to anyone.

According to Father Connery, it is virtually mandatory that the priest or Catholic nurse baptize a non-baptized patient who is thought to be in danger of dying. The forced baptism idea evidently springs from Catholic teaching that there is no hope of salvation for one who has not received baptism. This is a belief shared by one or two other Christian groups but is by no means the theology of all.

When and How

In his article published in *Hospital Progress*, the official journal of the hospital group of his denomination, Fr. Connery explains the techniques of forced conversion via baptism. Here is a pertinent question and answer as noted in *Hospital Progress*:

Q. Are you obligated to tell the parents of an infant baptized in danger of death, if the parents are not Catholic? What if the parents resent it and refuse to raise the child Catholic . . . ?

A. Ordinarily it is not permitted to baptize children of non-Catholic parents against their wishes. To do so would be to violate the rights of these parents. . . . When there is danger of death, however, the Church makes an exception, although even in this emergency primary responsibility for the child's spiritual welfare belongs to the parents. . . . It is only when the parents, through neglect or for reasons of their own, fail to provide for the baptism of the child, or when the emergency does not allow even sufficient time to warn the parents, that the Church permits a Catholic minister to baptize the child. In this case the Church's concern over the future religious education of the child . . . yields to the child's immediate spiritual need. Similarly *the wishes of the parents must give way in these circumstances to the child's own right to the means of salvation. It will be permissible to baptize the child even without the knowledge or consent of the parents. . . .* (Italics ours).

Fr. Connery argues that the forced baptism will do no harm, might con-

ceivably be of some help. If, for example, the patient recovered, and if he were to be married, divorced and re-married, then, in case he did get interested in the Catholic Church, the church would be able to declare his first marriage invalid because it had not been performed before a priest. Thus he would be in the clear to have his second marriage declared valid.

If this all sounds rather involved, it really is. But Fr. Connery is quite sure that forced baptism in a Roman Catholic hospital, or any other, is a good thing.

An unconscious adult in an emergency room should be given baptism and the last rites administered conditionally. Fr. Connery writes: "It will be best to say nothing about the baptism if it is discovered that he is a non-Catholic. . . . In most cases it will not be advisable to acquaint the person that he was baptized, unless

Michigan Subsidy Bill

A bill which would set aside a Michigan statute and allow parochial schools to share in the state's school fund has been introduced by a Roman Catholic Actionist, Rep. T. John Lesinski (D-Detroit) in the Michigan legislature.

Michigan public schools receive their primary support from taxes on railroads, utilities and insurance which are by law applied to this purpose. The levies total about \$50 million a year.

The present law provides that "no school district shall apply any of the moneys received by it from the primary school interest fund or from any other sources for the support and maintenance of any school of sectarian character. . . ." Rep. Lesinski's proposal would abrogate this law in favor of one sharing the school fund with Catholic schools.

There is also a provision in that state constitution: "No money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society. . . ." Rep. Lesinski has made no proposal for a constitutional amendment to set aside this provision.

it becomes clear that he would have wanted baptism under the circumstances."

NEW MOVIE SOON ON "CAPTIVE SCHOOLS"

A daring film story produced by POAU will be previewed by selected leaders in 12 cities coast-to-coast July 6-10. Public showings will begin in September.

This professionally-made semi-documentary movie tells the story of a captive school through the eyes of the Jacksons, who endure threats and boycotts for the American way.

Names of people and places have been changed. However, Glenn L. Archer portrays himself, as POAU swings into action to protect religious liberty.

The film will be available to churches, chapters and other groups by September 1.

Write for further information.

Film Department, POAU
1633 Massachusetts Ave., N.W.
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Write POAU for information on this 16mm sound film.

Emory Insists on Federal Fellowships

President S. Walter Martin of Emory University has made it clear that despite an avalanche of criticism, the university intends to accept three Federal fellowships for studies in the field of religion. The fellowships are the first to be granted for religious studies and, as many have pointed out, set a precedent for theological training of Protestant ministers and Roman Catholic priests at taxpayers' expense.

Distressed over the controversy, Dr. Martin said: "We simply did what hundreds of other institutions did." He added that no special emphasis was put on the applications for religious studies but that these only happened to be the ones granted. Dr. Martin also stressed that the students, whose names were not disclosed, were enrolled in the graduate school, not the school of theology.

Remain Skeptical

Hard-bitten John Hurt, editor of the Baptist *Index*, was not convinced by Dr. Martin's troubled plea. He wrote on May 14: "President Martin and Emory fail to understand that every violation, however slight, weakens the separation wall just that much more."

Then editor Hurt called for a death bed repentance: "It isn't too late for Emory to correct its error, whether or not it agrees that there is an error. President Martin and his institution would win the plaudits of all if they declined the Federal funds."

Jesuits to Be Custodians

Of State's Book Collection

The Sutro Collection of rare volumes of Californiana valued at \$2 million and owned by the state of California, is to be housed at the University of San Francisco, a Jesuit institution. The state will agree to pay \$25,000 annually to the university.

These are the recommendations of a special committee appointed by Governor Brown to investigate and recommend when a dispute erupted as to whether the public library or the Roman Catholic Church should provide quarters for the famed collection.

The governor's committee did a rush job, as requested, and reported in less than ten days after they were appointed. They did not even bother to talk with the city's Library Commission who were anxious to have the collection and had agreed to expend \$60,000 in remodeling to provide an adequate setting.

A storm of angry protest greeted the proposed deal with the sectarian university. Nat Schmulowitz, philanthropist and former Library commissioner asserted: "There are profound questions of public policy, if not also legal questions involved, in locating a public library to be supported by public funds and patronized by the public in general, in a physical environment identified with a single theological group."

Mrs. J. Henry Mohr of the library commission commented: "Quite a strong power is at work here—much more than appears on the surface. It has been at work on the Sutro matter for three years."

Laetare Medal to Murphy

The Laetare medal for 1959 has been awarded to Deputy Undersecretary of State Robert D. Murphy. This award was originally known as the "Golden Rose" and was presented by the Pope to a sovereign or other person, or to a city or kingdom in appreciation of service to the church.

Since acceptance of such an award by an American official is illegal, the Laetare award is made not directly by the Pope but by Notre Dame University.

"Highest Ideals"

The citation does not suggest direct "service" rendered by Murphy and the American government to his church, but states, rather, that Murphy's diplomatic career "reflects the highest ideals of his Catholic faith."

Observers remarked that the present informal alliance between the American State Department and the Vatican has developed during Murphy's regime as the Department's top negotiator.

APPRAISAL OF AMERICA

When the distinguished British economist, Professor Harold Laski, visited the U.S. a decade ago, he made the following observation—

"I found three things significant. The first was the progress the hierarchy had made in establishing itself as something like an independent empire within the U.S. No political party was prepared to risk the hostility of its leaders. Many of the great labor organizations were proud to accept its patronage. Its power of censorship was openly avowed and rarely challenged. Its skill in breaching the wall by which the Constitution separated church and state had gone so far that it attacked without hesitation the decision of the Supreme Court to stand by the American tradition. The thoughts of (Bishop) Fulton J. Sheen were reported in the general press with a reverent air of homage which I did not find accorded to the ecclesiastics of other churches."

CHURCH AND STATE

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